

**TOWN OF NEEDHAM  
CONSERVATION COMMISSION  
MEETING MINUTES  
Thursday, December 10, 2015**

LOCATION: Public Services Administration Building (PSAB), Charles River Room

ATTENDING: Janet Carter Bernardo, Stephen Farr, Peter Oehlkers (8:35 pm arrival), Alison Richardson, Sharon Soltzberg, Matthew Varrell (Director of Conservation), Debbie Anderson (Conservation Specialist)

GUESTS: James Baltimore, Marliese Baltimore, Karon S. Catrone, Frank DeMarinis, Michael Deychman, Mark Gershman, Todd Hargreaves, Ryan Murphy, John Mulvihill, Marian Rambelle, Luke Showalter, Kip Shwartz, Mary Trudeau, Todd Varrechi, Dave Volante

J. Carter Bernardo opened the public meeting at 7:35 pm.

**MISCELLANEOUS BUSINESS:**

Motion to approve the Meeting Minutes of November 19, 2015, as revised, by S. Farr, seconded by Alison Richardson, approved 3-0-1 S. J. Carter Bernardo abstained.

**ENFORCEMENT & VIOLATION UPDATES**

None

**HEARINGS**

**LINDEN STREET/CYPRESS STREET – *continued* NOTICE OF INTENT (DEP FILE #234-741)**

Applicant: Jorge Oslan, Oak Street LLC

Project: Utility work to connect the proposed utilities from Cypress Street to existing utilities in Linden Street and for the construction of Cypress Street. Portions of the work are located within the 100-foot Buffer Zone to Bordering Vegetated Wetlands. The proposed limit of work is approximately 23 feet from the limits of BVW. One tree is proposed to be removed.

Present for the Applicant: No one

Supporting Documents include:

- ☐ WPA Form 3 – Notice of Intent and supporting documents received August 27, 2015
- ☐ Needham Wetlands Protection Bylaw Application for Permit received August 27, 2015
- ☐ **Plan entitled: “Notice of Intent Conservation Commission Plan and Profile Intersection of Cypress & Linden Street Needham, Mass.”, prepared by Field Resources, Inc., stamped and signed by Bradley J. Simonelli, P.L.S. #47581, dated 8/20/15.**

J. Carter Bernardo opened the public hearing at 7:45 pm.

M. Varrell stated that the Applicant had requested a continuance until the January 14, 2016 Conservation Commission Meeting.

***Motion to continue the public meeting for Linden Street/Cypress Street (DEP File #234-741) to January 14, 2016 at 7:45 pm by S. Farr, seconded by S. Soltzberg, approved 4-0-0***

## 24 JARVIS CIRCLE – NOTICE OF INTENT (DEP FILE #234-7XX)

Applicant: Ruslan and Irina Faynstain

Owner: Louis and Lorraine Syatt

Project: Demolition of a single-family dwelling and construction of a new single-family home with associated appurtenances and landscaping; portions of which are located within the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

Present for the Applicant: Karon S. Catrone, Michael Deychman

Supporting Documents include:

- ❑ WPA Form 3 – Notice of Intent and supporting documents received November 20, 2015
- ❑ Needham Wetlands Protection Bylaw Application for Permit received November 20, 2015
- ❑ **Plan entitled: “24 Jarvis Circle, Proposed Site Plan, Needham, MA”, prepared by Mikhail Deychman, stamped and signed by Richard A. Volkin, P.E. #22282, dated 11/8/15.**
- ❑ **Plan entitled: “24 Jarvis Circle, Drywell Detailed (Sheet 2 of 2), Needham, MA”, prepared by Mikhail Deychman, stamped and signed by Richard A. Volkin, P.E. #22282, dated 11/8/15.**

J. Carter Bernardo opened the public hearing at 8:00 pm.

J. Carter Bernardo stated that DEP had not issued a File Number yet and the Hearing will not be able to be closed.

Karon Skinner Catrone indicated that she had delineated the resource areas on September 12, 2015. She explained that a drainage easement is located on the property, underground, and collects drainage from Jarvis Circle, the drainage daylight at the rear of the property and discharges into a stream. K. Skinner Catrone stated that existing house is 1,506 S.F. and the proposed house is 2,310 S.F. The total impervious area existing is 1,957 S.F. and the total proposed impervious area is 2,353 S.F. Currently, 5 S.F. of the existing house is located within the 100-foot Buffer Zone and 46 S.F. of the proposed house will be located within the 100-foot Buffer Zone. A 500-gallon drywell is proposed at the rear of the house and a pervious paver patio is also proposed. The Applicant will submit specific information on the type of pavers to the Commission. The Applicant would like to remove the three (3) existing burning bush shrubs along the fence line in the back and replace them with virginia roses and gray dogwood shrubs. No other vegetation removal is proposed.

J. Carter Bernardo questioned what size compost sock was proposed for erosion control as it was not noted on the plan submitted. She requested they install a 12-inch sock. The shrubs should be removed by hand. M. Deychman replied that they would be removed by hand.

Marliese Baltimore, an abutter at 15 Ludwig Road, stated that they were pleased the Applicant is leaving the existing trees and questioned whether they plan to leave the exiting fence. The owners stated they were.

Todd Hargreaves of 18 Jarvis Circle explained that the drainage pipe located in the easement was placed there by the Town several years ago to try and alleviate flooding issues as all of Jarvis Circle drains towards 18-24 Jarvis Circle. He believes the pipe is undersized for big storm events. The storms create a sort of river that flows between the 18 and 24 Jarvis Circle properties. He questioned whether the construction would make the flooding worse. He asked if any grading was proposed to raise the house up. J. Carter Bernardo and M. Deychman confirmed the grading would remain the same. The drainage easement is shown on the plan submitted but not the diameter of the drainage pipe. Mr. Hargreaves proposed that perhaps while the site is being dug up for the project, the Town may want to install a larger

diameter drainage pipe. J. Carter Bernardo explained that the Engineering Dept. would be the ones he would want to approach regarding replacement of the pipe. The double catch basin in the road needs to be cleaned out. Mr. Hargreaves spoke with Chris Seariac of the Water and Sewer Dept., about the flooding issue and was told the Town was undertaking a water study of the entire Town which should be completed in the next few months.

Marliese Baltimore explained that the pipe she can see from her house is quite large. T. Hargreaves stated that something isn't working right, maybe the pipe is blocked. M. Baltimore is concerned the proposed construction may change the flow of the water and impact her property. J. Carter Bernardo stated that the project, as proposed, including infiltration should not create issues on her property. J. Carter Bernardo stated that the Commission will not need to have the proposed grades added to the plan as there is no change in grade proposed. She asked M. Deychman if they had performed soil testing on-site for the drywell installation. M. Deychman stated they had not but planned to prior to construction. J. Carter Bernardo said that soil testing would be conditioned into the Order of Conditions to ensure the drywell had adequate separation from the groundwater to function properly.

M. Varrell had spoken to a neighbor who requests the Applicant extend the compost stock up between #24 and #32 Jarvis Circle.

***Motion to continue the public hearing, for issuance of a DEP File Number, for 24 Jarvis Circle (DEP File #234-7XX) to January 14, 2016 at 8:00 pm by S. Farr, seconded by S. Soltzberg, approved 4-0-0.***

#### **1910 CENTRAL AVENUE – NOTICE OF INTENT (DEP FILE #234-7XX)**

Applicant/Owner: Ryan and Alison Murphy

Project: The demolition of a 100+ year old 2-car garage destroyed by fire and the construction of a new garage in the same footprint and of the same size. The work is located within the 100-foot Buffer Zone to Bordering Vegetated Wetlands and Inland Bank and within the 200-foot Riverfront Area to the Charles River.

Present for the Applicant: Representative – David Burke, Owner – Ryan Murphy, Kip Schwartz - Builder

Supporting Documents include:

- ❑ **WPA Form 3 – Notice of Intent and supporting documents received November 24, 2015**
- ❑ **Needham Wetlands Protection Bylaw Application for Permit received November 24, 2015**
- ❑ **Plan entitled: “Site Plan 1910 Central Avenue Needham, Massachusetts”, prepared by Snelling & Hamel Associates, Inc., stamped and signed by John R. Hamel, P.L.S. #35029, dated 12/1/15.**

J. Carter Bernardo opened the public hearing at 8:35 pm.

J. Carter Bernardo stated that DEP had not issued a File Number yet and the Hearing will not be able to be closed.

D. Burke represented the Applicant and explained the proposed project is to tear down a 100+ year old detached 2-car garage that was gutted by fire and construct a new garage of the same size in the same footprint. The closest the proposed work is to the wetlands is 42-feet. They plan to remove the existing stone foundation and pour a new concrete one. The entire project area is surrounded by existing lawn. The 100-year Flood Zone comes up to the corner of the existing building. There will only be temporary disturbance in the flood zone and the area will be stabilized with loam and seed as soon as construction is finished. Two trees will be impacted during the project including a red cedar tree and the other is a river

birch. They are hoping to dig up the trees and re-use them but if they don't survive the winter out of the ground, they will plant two trees for each tree they could not re-use.

J. Carter Bernardo requested the erosion control be upgraded to a 12-inch sock. She stated that the wetland delineation would not be approved under this Permit. The proposed drywells will be an improvement over existing conditions. The Applicant may remove the existing structure prior to the issuance of the Permit at their own risk due to possible safety concerns.

***Motion to continue the public hearing, for issuance of the DEP File Number, for 1910 Central Avenue (DEP File #234-7XX) to January 14, 2016 at 8:05 pm by S. Farr, seconded by S. Soltzberg, approved 5-0-0.***

**CENTRAL AVENUE/ELLIOT STREET BRIDGE – *continued* NOTICE OF INTENT (DEP FILE #234-746)**

Applicant: Louis Taverna, P.E., Town of Newton

Project: Rehabilitation of the historic Central Avenue/Elliot Street bridge, which spans the Charles River between Needham and Newton. Work includes the rehabilitation of walls, foundations, sidewalks, and roadway surfaces to restore load capacity. The project includes the replacement and installation of stormwater structures in roadway approaches to the bridge.

Present for the Applicant: Mark Gershman of Beta Group and Marian Rambelle of CDW Consultants, Inc.

Supporting Documents include:

- ❑ WPA Form 3 – Notice of Intent and supporting documents, received November 6, 2015
- ❑ Needham Wetlands Protection Bylaw Application for Permit, received November 6, 2015
- ❑ Plans entitled (received November 6, 2015): “Town of Needham, Massachusetts City of Newton, Massachusetts Division of Public Works Central Avenue/Elliot Street Bridge Rehabilitation” (13 Sheets), prepared by BETA, stamped and signed by Christopher Jones, P.E. No. 41025, dated November 2015.
- ❑ Plans entitled (received November 6, 2015): “Town of Needham, Massachusetts City of Newton, Massachusetts Division of Public Works Central Avenue/Elliot Street Bridge Rehabilitation” (13 Sheets), prepared by BETA, stamped and signed by Christopher Jones, P.E. No. 41025, dated November 2015 (revised November 18, 2015).
- ❑ Specification for Concrete Grout Filled Fabric Bags (Item 983.12), 3 pages, received November 19, 2015.
- ❑ Product Data Sheet for Sikament-100 SC Anti-Washout Admixture, 2 pages, received November 19, 2015.
- ❑ Final Report *Minimizing the Impact on Water Quality of Placing Grout Underwater to Repair Bridge Scour Damage* by G. Michael Fitch, dated June 2003.
- ❑ Supplemental Notice of Intent information, dated November 16, 2015 (received November 19, 2015).
- ❑ **Plans entitled (received November 6, 2015): “Town of Needham, Massachusetts City of Newton, Massachusetts Division of Public Works Central Avenue/Elliot Street Bridge Rehabilitation” (13 Sheets), prepared by BETA, stamped and signed by Christopher Jones, P.E. No. 41025, dated November 2015 (revised November 30, 2015).**

J. Carter Bernardo opened the public hearing at 8:45 p.m.

J. Carter Bernardo stated that she had attended the Newton Conservation Commission Hearing and understands the two Towns had pretty much the same questions, concerns and conditions. In addition, J. Carter Bernardo stated she has read the Needham Conservation Commission Meeting Minutes from the Hearing she had missed.

M. Gershman stated that a Landscape Plan had been submitted after the last meeting and included the proposed plantings for the DCR property. Four trees are proposed for removal with eight trees proposed for replacement. A. Richardson stated that she had some issues with the Landscaping Plan. The Plan proposes plantings of sugar maples which have not been doing well for some time. She would prefer they plant a cross of a sugar maple and a black maple called "Green Mountain" that do much better. In addition she would like the proposed paper birch to be changed to river birch. She also discussed relocating the proposed shrubs from the middle of the hill. J. Carter Bernardo suggested they include A. Richardson's revisions into the Order of Conditions instead of requiring a revised plan be submitted.

J. Carter Bernardo explained that the Commission will close the Hearing but will not issue the Order of Conditions until after the Newton Conservation Commission Hearing on December 17, 2016 so they can coordinate the Conditions. She asked that the Applicant authorize the Commission to go over the 21 day issuance deadline as the next Needham Conservation Commission Meeting is not until January 14, 2016. They signed the paperwork to authorize. A. Richardson had questions about the safety of the anti-washout agent they propose to use as it is a bi-polymer and the description provided doesn't give enough information. M. Gershman stated that MassDOT has used it in the past.

***Motion to close the Public Hearing for the Central Avenue/Elliott Street Bridge project (DEP File #234-746) by S. Farr, seconded by P. Oehlkers, approved 5-0-0.***

## **108 LINDBERGH AVENUE – NOTICE OF INTENT (DEP FILE #234-7XX)**

Applicant: Gene Voloshin

Owner: James and Patricia Griffith

Project: Demolition of a single-family home and in-ground pool and subsequent construction of a new single-family home with associated appurtenances and landscaping. An existing shed will be removed. A portion of the proposed work is located within the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

Present for the Applicant: Representative – Mary Trudeau, Applicant – Gene Voloshin

Supporting Documents include:

- ❑ **WPA Form 3 – Notice of Intent and supporting documents received November 23, 2015**
- ❑ **Needham Wetlands Protection Bylaw Application for Permit received November 23, 2015**
- ❑ **Plan entitled: "Proposed Site Plan 108 Lindbergh Avenue, Needham, MA. 02494", prepared by Mikhail Deychman, stamped and signed by Richard Volkin, P.L.S. #22282, dated 11/15/15.**
- ❑ **Plan entitled: "108 Lindbergh Avenue, Drywell Detailed (Sheet 2 of 2), Needham, MA", prepared by Mikhail Deychman, stamped and signed by Richard A. Volkin, P.E. #22282, dated 11/15/15.**

J. Carter Bernardo opened the Public Hearing at 9:00 pm.

J. Carter Bernardo stated that DEP had not issued a File Number yet and the Hearing will not be able to be closed.

M. Trudeau described the proposed project as a tear-down of the existing single-family home and removal of the existing pool and construction of a new single-family house. Off the northeast corner of the

property, on Town-owned land is a Bordering Vegetated Wetland. M. Trudeau delineated the boundaries of the wetland but is not requesting approval of the wetland line as it is located off property. She explained that with the removal of the existing concrete swimming pool and paths around it, the total amount impervious area within the 100-foot Buffer Zone is reduced. She stated that the only proposed grading is to restore the grades around the pool area. They envision a rolling slope down to the property line as opposed to a 2-level terrace. A white pine tree is proposed for installation in the corner of the property within the 25-foot Buffer Zone. Along the rear chain-link fence are proposed 15 viburnums. In addition, the owner is proposing the installation of a row of hydrangea shrubs up-gradient of the chain-link fence.

J. Carter Bernardo asked that the entire Buffer Zone be protected by extending the erosion control line. An 18-inch sock is proposed. J. Carter Bernardo stated that she suspects that there will be grading. The pool will need to be removed off-site and the hole filled in. J. Carter Bernardo would like a plan showing the proposed contours. No trees are proposed for removal. The Order of Conditions will include a Condition to do a test pit in the area of the drywell to ensure 2-feet of separation from the groundwater. The patio is calculated as impervious but can be conditioned for use of pervious pavers. A revised plan will be submitted to show proposed grades and extension of the erosion controls.

Nancy Ridill of 102 Lindbergh Avenue questioned whether the proposed project would increase stormwater into the stream and backing it up onto her property. M. Trudeau replied that the proposed drywell and removal of the pool should create less stormwater runoff.

***Motion to continue the public hearing for 108 Lindbergh Avenue (DEP File #234-7XX) for issuance of the DEP File Number and submission of a revised plan to January 14, 2016 at 8:10 pm. by S. Farr, seconded by P. Oehlkers, approved 5-0-0.***

## **292 FOREST STREET – NOTICE OF INTENT (DEP FILE #234-7XX)**

Applicant/Owner: F & A Farms, Inc., Dave Volante

Project: This re-development project proposed at Volante Farms consists of demolition of the existing storage building and construction of two (2) new accessory barns with areas of 2,275 S.F. and 1,800 S.F. A stormwater management system is proposed to infiltrate stormwater runoff from the new buildings. In addition, the Applicant is proposing installation of a retaining wall and new gravel driveways. Portions of the proposed work are located within the 100-foot Buffer Zone. The proposed limit of work is approximately 26-feet from the limits of an intermittent stream (Bank).

Present for the Applicant: Owner – Dave Volante, Representatives – Luke Showalter and Frank DeMarinis of Sage Engineering

Supporting Documents include:

- ❑ WPA Form 3 – Notice of Intent and supporting documents received November 25, 2015
- ❑ Needham Wetlands Protection Bylaw Application for Permit received November 25, 2015
- ❑ **Plan entitled: “Volante Renovations, 292 Forest Street, Needham, MA., 02492”, prepared by Sage Engineering & Contracting, Inc., stamped and signed by Frank DeMarinis, P.E. #41640, dated 9/16/15.**

J. Carter Bernardo opened the Public Hearing at 9:15 pm.

J. Carter Bernardo stated that DEP had not issued a File Number yet and the Hearing will not be able to be closed.

F. DeMarinis represented the Applicant and stated that the proposed project consists of the removal of an existing barn and the construction of two barns. The existing barn was built in the late 1800's and is not on the register of historic structures. The area around the barn consists of a gravel drive and storage area for farm materials including stone and mulch. They also use the area as a staging area to attach farm equipment to farm vehicles.

An intermittent stream is located adjacent to the drive. It is a steeper area with no Bordering Vegetated Wetlands associated with it. Only Inland Bank was identified and delineated. A footbridge over the stream channel is to remain. There is a wooded area located at the bottom of the slope, adjacent to the farm fields. Farm equipment is currently stored at the bottom of the slope but will be removed and stored in the proposed barns.

The work proposed within the 25-foot Buffer Zone includes removal of the farm equipment. The entire project is located within the 100-foot Buffer Zone. The silt fence has been removed from the 25-foot Buffer Zone on the Plan. J. Carter Bernardo requested additional erosion controls. They will add straw bales or 12-inch straw wattle to the Plan. The gravel driveway located outside the 25-foot Buffer Zone will be removed. The existing "deer fence" will remain. They have revised plans showing the detail of the retaining wall. J. Carter Bernardo expressed concern regarding the gravel eroding into the wetlands if it is not compacted enough. A. Richardson pointed out that the plan calls for the removal of 5 trees and that they need to be replaced at a 2:1 ratio. They will need to revise the plans to add the replacement trees in the 100-foot Buffer Zone. F. DeMarinis asked if a farming exemption may not require the tree replacement. J. Carter Bernardo said no. She asked how tall the proposed retaining wall is. The plan shows it is 5-feet tall in places. F. DeMarinis is a structural engineer and can review the retaining wall construction.

J. Carter Bernardo asked if test pits had been done. F. DeMarinis will give the Commission results of the perc test when complete. The stormwater calculations from hydrocad do not match the plan. The datum needs to be changed. An overflow will be added to the plan. A landscape plan submitted will show limit of seeding (conservation mix) to be mowed once a year. The debris will be removed from the Buffer Zone.

***Motion to continue the public hearing for 292 Forest Street (DEP File #234-7XX) for issuance of the DEP File Number, submittal of a landscape plan showing tree replacements, revised erosion controls, submission of revised drainage calculations with corrected datum and submittal of test pit results to January 14, 2016 at 8:30 pm. by S. Farr, seconded by P. Oehlkers, approved 5-0-0.***

## **OTHER BUSINESS**

### **REQUEST FOR CERTIFICATE OF COMPLIANCE – NEEDHAM RESERVOIR B SEWER PUMP STATION REPLACEMENT PROJECT (DEP FILE #234-616)**

M. Varrell stated that a proper As-Built Plan was never completed for the location of the buildings. The As-Built submitted was more of a Landscape Plan As-Built of the plantings. The plantings all appear to be healthy and in the proper locations. The Order of Conditions had specified silver maple be planted instead of the proposed sugar maples, however, sugar maples were installed. They had requested to reduce the size of the proposed black cherry trees and the Commission agreed but asked them to plant 5 instead of the 3 proposed, however, only 3 were installed.

There is no formal As-Built Plan to compare against the proposed plan to determine if the building is in exactly the same location as proposed. M. Varrell will go out to the site and do some measurements to determine if the building is in the right location.

***Motion to issue a Certificate of Compliance for Needham Reservoir B Sewer Pump Station Replacement Project (DEP FILE #234-616) contingent on M. Varrell's measurements on-site by S. Farr, seconded by P. Oehlkers, approved 5-0-0.***

**DISCUSSION ITEM – CONSERVATION RESTRICTION FOR SUNLIFE ASSURANCE CO., ST. MARY STREET/ECHO ROAD**

John Mulvihill from Sunlife Assurance, Co., in Wellesley explained that approximately 10-years ago they had constructed an addition to their facility located in Wellesley and Needham. At that time, the Towns of Needham and Wellesley Conservation Commissions asked Sunlife to put portions of their property adjacent to Hurd Brook into a Conservation Restriction to enhance adjacent existing land containing Conservation Restrictions, as mitigation for the addition. Sunlife agreed. He explained that the paperwork for the Restriction had been completed but was never recorded and has since been misplaced.

J. Mulvihill contacted D. Anderson and asked to submit updated paperwork to be reviewed and approved by the Commission at the meeting. D. Anderson stated that she had the minutes showing the Commission had approved the Conservation Restriction on February 22, 2007. Once approved by the Conservation Commission, it will go before the Board of Selectmen for their approval. M. Varrell stated that the difference between 10-years ago and today is that the Town has a land trust in place and they may need to be listed as the Grantee for the Restriction. J. Carter Bernardo replied that L. Standley and R. Cramer are part of the Land Trust Committee. J. Mulvihill replied that Sunlife would still retain ownership of the properties under the Conservation Restriction. M. Varrell will contact Attorney Cramer and Conservation Commissioner Attorney Cory Rhoades to get their opinion on how to proceed as far as the land trust is concerned. J. Mulvihill added that the current document was sent to the "State" for review and they had made some revisions to the document. M. Varrell explained that the vote by the Commission to approve the Conservation Restriction would need to be witnessed by a Notary Public and the document stamped as well. A. Richardson asked if the Conservation Restriction allows for public use. J. Mulvihill stated that the Conservation area has a walking trail for use by its employees. M. Varrell will contact the Attorneys as discussed and arrange for a Notary to be present at the January 14, 2016 meeting.

**REQUEST FOR CERTIFICATE OF COMPLIANCE – 1143 SOUTH STREET (DEP FILE #234-613)**

D. Anderson explained that the original project included the demolition of a porch, deck and stairs and the construction of an addition, deck and stairs and associated site and landscaping work. They came back with an Amendment Request for approval of an extensive landscaping and invasive species removal plan. D. Anderson stated that she was pleased with way the Landscape Architect kept her informed throughout the project process and found them a pleasure to work with. There were no issues identified. There was no two-year monitoring required. J. Carter Bernardo asked that D. Anderson contact the Landscape Architect and ask that he update her in the future as to whether the invasive species control effort appears to continue to be successful.

***Motion to issue a Certificate of Compliance for 1143 South Street (DEP File #234-613) by S. Farr, seconded by S. Soltzberg, approved 4-0-0.***

**FULLER TRAIL UPDATE AND CONSERVATION TRUST FUND AUTHORIZATION**

J. Carter Bernardo stated that she had walked the Fuller Trail this past weekend and thought it was looking really nice. M. Varrell showed the Commission photos of the Fuller Trail. He explained that the

stairs off the Esker Trail would be a possible project for the SCA group or scouts. He stated that the project is essentially complete. They are finishing up a few last items. He showed them photos of the footbridge completed on the Charles River Trail.

M. Varrell explained that due to the depth of the peat encountered during installation, the contractor needed to install additional helical piers to stabilize the walkway on the Fuller Trail. The additional piers added an additional \$78,000. Including the CPA Funds and Conservation Trust Funds to date leaves a \$66,000 deficit. M. Varrell requests the Commission approve an additional \$70,000 be allocated from the Conservation Trust Fund to finish paying for the project.

***Motion to authorize the expenditure of an additional \$70,000 from the Conservation Trust Fund for the Fuller Trail project construction costs by S. Farr, seconded by A. Richardson, approved 4-0-0.***

## **1079 SOUTH STREET – DISCUSSION**

M. Varrell stated that he had been approached by Architect Mark Gluesing regarding a project at 1079 South Street. The construction is underway and located outside the Commission's jurisdiction. The homeowner's had Hartney-Greymont come to their property and they examined a grove of sixteen (16), six to eight-inch caliper spruce trees located approximately 80-feet from the Bordering Vegetated Wetlands. They are asking permission to remove the trees without going through an RDA or NOI application process. They would be willing to submit a mitigation planting plan and are planning to remove invasive species as well. M. Varrell stated that in his opinion, this type of work could be considered an exempt minor activity but this is not reflected in the Bylaw. S. Farr asked if a letter from Hartney Greyfont had been submitted. M. Varrell replied that there had not been a letter submitted.

J. Carter Bernardo explained that she had discussed with M. Varrell a potential revision to the Bylaw Regulations that tree removal projects at a minimum of 75-feet from the wetlands may be able to proceed with the project without submitting an RDA or NOI application for approval. Perhaps the Commission could discuss projects such as this on a case by case basis and approve them outside the Permit process. The Commission gave M. Varrell permission to review the proposed tree removal for his approval and review the planting plan when it is submitted.

***Motion to adjourn the meeting by S. Farr, seconded by P. Oehlkers, approved 5-0-0.***

***The meeting was adjourned at 10:00 pm.***

## **NEXT PUBLIC HEARING**

*Thursday, January 14, 2015 at 7:30 PM in the Public Services Administration Building, Charles River Room.*